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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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SCIENTIFIC-ATLANTA, INC.
 INTELLECTUAL PROPERTY DEPARTMENT
 5030 SUGARLOAF PARKWAY
 LAWRENCEVILLE, GA 30044

EXAMINER

SHANG, ANNAN Q

ART UNIT	PAPER NUMBER
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2614

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DATE MAILED: 06/04/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/590,904

Applicant(s)

JERDING ET AL.

Examiner

Annan Q Shang

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 June 2000.
2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-58 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) 1-58 is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☒ The drawing(s) filed on 09 June 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 4&6.
4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1, 4-7, 17-21, 25, 29-31, 34-37, 42, 47-51, 55, 57 and 58, are rejected under 35 U.S.C. 102(e) as being anticipated by **Dodson et al (6,184,877)**.

As to claim 1, note the **Dodson et al** reference figures 1 and 3, disclose system and method for interactively accessing program information on a television and further disclose a programmable television services client device for enabling a user to search for television program information, the client device comprising:

the claimed "memory for storing data" is met by Memory 110 (fig. 1 and col. 2, lines 47-52); which stores context-sensitive program information "display configuration information" and a guide arrangement (col. 3, lines 16-18) where upon a user request via Input Device 206, an Overlay 200 is displayed (fig.2 and col. 2, lines 59-64) and the context sensitive program information is configured a search format based on the user search criteria received via Overlay 200 or Overlay 300 (col. 3, lines 8-11) and if the user elects to begin search, a new Overlay 400 "at least one prompt" designating at least one television program search parameter is displayed (fig. 4 and col. 3, lines

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41-49);

the claimed "a processor configured to cause a search result related to said television program search parameter..." is met by Controller (C)108 (col. 2, lines 55-58), which is responsive to User Input 206 and configured to cause search result related to the television program search parameter to be displayed on TV Display 100 "a viewing device" (col. 3, lines 37-49).

As to claim 4, the claimed "user input," is met by User Input 206 (col. 2, line 65-col. 3, line 7 and lines 37-40), which selects a search result.

As to claim 5, Dodson further discloses where Controller 108, is responsive to user selection of search result, via Input-D 206, by causing a movie review, a television program identified in the search result to be displayed on TV Display 100 (col. 3, lines 41-54).

As to claim 6, the claimed "viewing device..." is met by TV Display 100, (col. 2, lines 47-50).

As to claim 7, the claimed "a programmable television services server device," is met by Program Guide Database Server at Cable Company (col. 3, lines 13-19), which coupled to STB 102 via Internet Interface 106 or telephone line and can be directly accessed at the Cable Company's location using STB 102.

As to claim 17, Dodson further discloses where the television program search parameter includes a sequence of characters, Movie, Title, Actors, Director, etc., (fig. 3, col. 2, lines 59-64 and col. 3, lines 8-12).

As to claim 18, the claimed "remote control device..." is met by User Input-D 206 (col. 2, lines 65-66).

As to claim 19, Dodson further discloses where the user input is received via a remote keyboard (col. 2, lines 52-54).

As to claim 20, Dodson further disclose where the keyboard is coupled STB 102 (col. 2, lines 47-54).

As to claim 21, Dodson further discloses where the search result displayed on TV Display 100 (figs. 3 and 4) is related to a television program title that contains the sequence of characters in the search parameter (col. 3, lines 19-34 and col. 3, lines 41-49), including movie reviews, note that the AS-Terms generated is based on channel and time information store on program guide database of the STB 102, and furthermore can be erased to selected programs to be watched in future, and Overlay 400 and 500, includes a list of hits based on the AS-Terms or the search terms selected by the user for programs to be watched in future.

Claim 25 is met as previously discussed with respect to claim 21.

Claim 29 is met as previously discussed with respect to claim 15.

Claim 30 is met as previously discussed with respect to claim 5.

As to claim 31, note the **Dodson et al** reference figures 1 and 3, disclose system and method for interactively accessing program information on a television and further disclose a method for implementing a programmable television services client device to enable a user to search for television program information, the client device comprising:

the claimed "implementing display configuration information in a memory that includes a guide arrangement..." is met by Memory 110 (fig. 1 and col. 2, lines 47-52); which implements context-sensitive program information "display configuration information" and a guide arrangement (col. 3, lines 16-18) where upon a user request via Input Device 206, an Overlay 200 is displayed (fig.2 and col. 2, lines 59-64) and the context sensitive program information is configured a search format based on the user search criteria received via Overlay 200 or Overlay 300 (col. 3, lines 8-11) and if the user elects to begin search, a new Overlay 400 "at least one prompt" designating at least one television program search parameter is displayed (fig. 4 and col. 3, lines 41-49);

the claimed "causing a search result related to the television program search parameter to be displayed on a viewing device..." is met by Controller (C)108 (col. 2, lines 55-58), which is responsive to User Input 206 and configured to cause search result related to the television program search parameter to be displayed on TV Display 100 "a viewing device" (col. 3, lines 37-49).

As to claim 34, the claimed "user input," is met by User Input 206 (col. 2, line 65-col. 3, line 7 and lines 37-40), which selects a search result.

As to claim 35, Dodson further discloses where Controller 108, is responsive to user selection of search result, via Input-D 206, by causing a movie review, a television program identified in the search result to be displayed on TV Display 100 (col. 3, lines 41-54).

As to claim 36, the claimed "viewing device.." is met by TV Display 100, (col. 2, lines 47-50).

As to claim 37, the claimed "a programmable television services server device," is met by Program Guide Database Server at Cable Company (col. 3, lines 13-19), which coupled to STB 102 via Internet Interface 106 or telephone line and can be directly accessed at the Cable Company's location using STB 102.

Claim 42 is met as previously discussed with respect to claim 34.

As to claim 47, Dodson further discloses where the television program search parameter includes a sequence of characters, Movie, Title, Actors, Director, etc., (fig. 3, col. 2, lines 59-64 and col. 3, lines 8-12).

As to claim 48, the claimed "remote control device..." is met by User Input-D 206 (col. 2, lines 65-66).

As to claim 49, Dodson further discloses where the user input is received via a remote keyboard (col. 2, lines 52-54).

As to claim 50, Dodson further disclose where the keyboard is coupled STB 102 (col. 2, lines 47-54).

As to claim 51, Dodson further discloses where the search result displayed on TV Display 100 (figs. 3 and 4) is related to a television program title that contains the sequence of characters in the search parameter (col. 3, lines 19-34 and col. 3, lines 41-49), including movie reviews, note that the AS-Terms generated is based on channel and time information store on program guide database of the STB 102, and furthermore can be erased to selected programs to be watched in future, and Overlay 400 and 500,

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includes a list of hits based on the AS-Terms or the search terms selected by the user for programs to be watched in future.

Claim 55 is met as previously discussed with respect to claim 51.

Claim 57 is met as previously discussed with respect to claim 45.

Claim 58 is met as previously discussed with respect to claim 46.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 2, 3, 8-16, 22-24, 26-28, 32, 33, 38-46, 52-54 and 56, are rejected under 35 U.S.C. 103(a) as being unpatentable over **Dodson et al (6,184,877)** as applied to claims 1, 17, 25, 31, 51 and 55 above, and in view of **Boyer et al (6,268,849)**.

As to claim 2, Dodson fails to explicitly display a search result includes a television program title.

However, note **Boyer et al** reference figure 14, teaches an Internet television program guide (PG) system (col. 2, lines 23-33), which performs a television program guide search over Internet, where a category search (fig. 8, element 514 and 516 and col. 8, lines 50-62), and displays a PG that includes, television program title (fig. 14, and col. 11, lines 9-24).

Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the teaching of Boyer into the system of Dodson to display television program title as additional information that informs the user the title of current program that is being offered and future programs, and further enable the user to tune to the appropriate channel offering, desired television programs.

As to claim 3, Dodson further teaches searching parameters, such as, current program title, actors, program start time and end time (col. 2, lines 59-64), automatic generated search terms, user selected search terms, associated with the current channel and time and future programs and displaying search result based on the search terms (col. 2, lines 17-34 and line 41-43), but fails to explicitly teach where the displayed search result includes a television program starting time and identifies a television channel.

However, Boyer further teaches a television program guide search over Internet and displays a PG that includes starting time and identifies a television channel by displaying the channel and program titles (fig. 1, 14, col. 3, line 65-col. 4, line 14 and col. 11, lines 9-24).

Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the teaching of Boyer into the system of Dodson to include a start time and channel in the PG to inform the user the time and channel of a particular television program, to enable the user to tune to the channel at the indicated time for the program.

As to claim 8, Dodson fails to explicitly teach where a television search parameter includes a time period.

However, Boyer further discloses where search parameter includes by time option 510 (figs. 8, 9 and col. 8, line 63-col. 9, line 7).

Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the teaching of Boyer into the system of Dodson to provide an time option to enable the user to search a time period for a television program, thereby providing a list of television program and associated time period to enable the user to tune to a channel at any desired time for the television program.

As to claim 9, Dodson further discloses where the START TIME and END TIME "a first time period" which is generated as automatic search terms (col. 3, lines 19-28), but fails to explicitly teach where the time period is selected from a list of two or more time periods displayed within the search format.

However, Boyer further discloses searching by time and selecting from two or more time periods displayed (fig 11, 14, Window 866, SELECT TIME OF DAY, MID DAY, AFTERNOON, etc., col. 10, line 40-col. 11, line 13).

Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the teaching of Boyer into the system of Dodson to provide the user with a list of time period, relating to the search, to meet specific demands of the user with respect the programs and time of the day, and provide the user with a list of program(s) and respective time periods, and enable the user to watch the program any time as desired.

As to claims 10 and 11, Dodson further discloses Automatic Search Terms (AS-Terms), "a default" which includes time period selection consisting of the current time of the current day or short time in future (col. 3, lines 19-28), but fails to explicitly teach the following day.

However, Boyer further discloses time period selection, which includes the following day (fig 14, Window 866 and col. 11, lines 9-29).

Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to modify Dodson system to include a default time period for the following day as taught by Boyer, to enable the user to search television programs of the next day to know in advance programs of interest.

As to claim 12, Dodson further teaches specifying a time with user Input-D 207, where a user uses Input-D 206, to erase the AS-Terms and provide addition search terms, that includes search terms for a program to be watched in future (col. 3, lines 29-37), but fails to explicitly teach specifying a time period.

However, Boyer teaches search by option time, which has been discussed with respect to claim 8.

As to claim 13, Dodson further discloses where the display search result is related to a television program that is schedule to be broadcast during at least a part of the time period, such as short time or half an hour (col. 3, lines 19-34).

Claim 14, is met as previously discussed with respect to claim 3.

As to claim 15, Dodson further discloses where the search result is selectable by subsequent User Input-D 206 (col. 2, line 65-col. 3, line 7 and lines 37-49), note that the

search can be request from Overlay 200 and if the search is selected a new Overlay 300, follow by Overlay 400 appears.

Claim 16, is met as previously discussed with respect to claim 5.

Claim 22, is met as previously discussed with respect to claim 2.

Claim 23, is met as previously discussed with respect to claim 3.

Claim 24, is met as previously discussed with respect to claim 3.

Claim 26, is met as previously discussed with respect to claim 2.

Claim 27, is met as previously discussed with respect to claim 3.

Claim 28, is met as previously discussed with respect to claim 3.

As to claim 32, Dodson fails to explicitly display a search result includes a television program title.

However, note **Boyer et al** reference figure 14, teaches an Internet television program guide (PG) system (col. 2, lines 23-33), which performs a television program guide search over Internet, where a category search (fig. 8, element 514 and 516 and col. 8, lines 50-62), and displays a PG that includes, television program title (fig. 14, and col. 11, lines 9-24).

Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the teaching of Boyer into the system of Dodson to display television program title as additional information that informs the user the title of current program that is being offered and future programs, and further enable the user to tune to appropriate the channel offering a particular television program.

As to claim 33, Dodson further teaches searching parameters, such as, current program title, actors, program start time and end time (col. 2, lines 59-64), automatic generated search terms, user selected search terms, associated with the current channel and time and future programs and displaying search result based on the search terms (col. 2, lines 17-34 and line 41-43), but fails to explicitly teach where the displayed search result includes a television program starting time and identifies a television channel.

However, Boyer further teaches a television program guide search over Internet and displays a PG that includes starting time and identifies a television channel by displaying the channel and program titles (fig. 1, 14, col. 3, line 65-col. 4, line 14 and col. 11, lines 9-24).

Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the teaching of Boyer into the system of Dodson to include a start time and channel in the PG to inform the user the time and channel of a particular television program, to enable the user to tune to the channel at the indicated time for the program.

As to claim 38, Dodson fails to explicitly teach where a television search parameter includes a time period.

However, Boyer further discloses where search parameter includes by time option 510 (figs. 8, 9 and col. 8, line 63-col. 9, line 7).

Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the teaching of Boyer into the system of Dodson to

provide an time option to enable the user to search a time period for a television program, thereby providing a list of television program and associated time period to enable the user to tune to a channel at any desired time for the television program.

As to claim 39, Dodson further discloses where the START TIME and END TIME “a first time period” which is generated as automatic search terms (col. 3, lines 19-28), but fails to explicitly teach where the time period is selected from a list of two or more time periods displayed within the search format.

However, Boyer further discloses searching by time and selecting from two or more time periods displayed (fig 11, 14, Window 866, SELECT TIME OF DAY, MID DAY, AFTERNOON, etc., col. 10, line 40-col. 11, line 13).

Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the teaching of Boyer into the system of Dodson to provide the user with a list of time period, relating to the search, to meet specific demands of the user with respect the programs and time of the day, and provide the user with a list of program(s) and respective time periods, and enable the user to watch the program any time as desired.

As to claims 40 and 41, Dodson further discloses Automatic Search Terms (AS-Terms), “a default” which includes time period selection consisting of the current time of the current day or short time in future (col. 3, lines 19-28), but fails to explicitly teach the following day.

However, Boyer further discloses time period selection, which includes the following day (fig 14, Window 866 and col. 11, lines 9-29).

Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to modify Dodson system to include a default time period for the following day as taught by Boyer, to enable the user to search television programs of the next day to know in advance programs of interest.

As to claim 42, Dodson further teaches specifying a time with user Input-D 207, where a user uses Input-D 206, to erase the AS-Terms and provide addition search terms, that includes search terms for a program to be watched in future (col. 3, lines 29-37), but fails to explicitly teach specifying a time period.

However, Boyer teaches search by option time, which has been discussed with respect to claim 38.

As to claim 43, Dodson further discloses where the display search result is related to a television program that is schedule to be broadcast during at least a part of the time period, such as short time or half an hour (col. 3, lines 19-34).

Claim 44, is met as previously discussed with respect to claim 33.

As to claim 45, Dodson further discloses where the search result is selectable by subsequent User Input-D 206 (col. 2, line 65-col. 3, line 7 and lines 37-49), note that the search can be request from Overlay 200 and if the search is selected a new Overlay 300, follow by Overlay 400 appears.

Claim 46, is met as previously discussed with respect to claim 35.

Claim 52, is met as previously discussed with respect to claim 32.

Claim 53, is met as previously discussed with respect to claim 33.

Claim 54, is met as previously discussed with respect to claim 33.

Claim 56, is met as previously discussed with respect to claim 33.

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Combs et al (6,564,383) disclose method and system for interactively capturing organizing and presenting information generated from television programs to viewers.

Knudson et al (6,536,041) disclose program guide system with real-time data sources.

Legall et al (6,005,565) disclose integrated search of electronic program guide, Internet and other information resources.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Annan Q Shang** whose telephone number is **703-305-2156**. The examiner can normally be reached on **700am-500pm**.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **John W Miller** can be reached on **703-305-4795**. The fax phone number for the organization where this application or proceeding is assigned is **703-872-9306**.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the **Electronic Business Center (EBC)** at 866-217-9197 (toll-free).



Annan Q. Shang.



JOHN MILLER
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600